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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,834	11/05/2001	Kazuyuki Matsumoto	CU-2703 RJS	7616

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EXAMINER	
HARAN, JOHN T	

ART UNIT	PAPER NUMBER
1733	5

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/007,834	MATSUMOTO ET AL.	
	Examiner	Art Unit	
	John T. Haran	1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/5/01* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *translation of JP 07148751* .

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 2/1/02 has been considered by the examiner.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 11-12 and 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 11 and 12 recite the limitation "said mold-temperature adjusting device". There is insufficient antecedent basis for this limitation in the claims because the claims they depend from, 7 and 8 respectively, do not mention a mold-temperature adjusting device.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-2 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Futoshi (JP 07-148751) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653).

Futoshi is directed to a method and apparatus for manufacturing a lens sheet wherein a nozzle dispenses ionization radiation curing type resin in the form of a liquid on the entirety of an upper surface of a forming mold to form an uncured resin layer, then a second nozzle dispenses a pool of ionization radiation curing type resin on the uncured resin layer, then a substrate supplying device places a substrate on the uncured resin and the substrate is laminated to the uncured resin by pressing it with a pressure roller from one side to another and in the process spreading the uncured resin pool and eliminating any air bubbles, then an irradiation device irradiates the resin through the substrate to cure the resin, and then finally the cured resin together with the substrate is removed from the forming mold (See paragraphs 009-0011 of the computer translation).

Futoshi and the present application are both directed to eliminating bubbles in the resin when laminating the substrate to the resin in the forming mold (see paragraph 0005 of computer translation), however Futoshi is silent towards accomplishing this by having the substrate supply device put the substrate in an inclined state relative to the upper surface of the forming mold. However, it is well known and conventional in the art when placing a substrate over a pool of liquid that needs to be evenly spread across a surface in a manner to eliminate bubbles to have a substrate supply device provide the

substrate at an incline to the surface so that one edge touches one edge of the surface and the substrate is gradually lowered and in the process spreads the liquid as it is lowered and eliminates bubbles from being present in the liquid and between the substrate and the surface as shown for example in Summersgill et al (See Figure 1; Column 5, lines 19-24, and 58-63; and Column 6, lines 33-35), Takahashi et al (See Figures 3-5 and Column 2, lines 44-58), and Toide et al (See Figure 18 and Column 16, lines 17-25). One skilled in the art would have readily appreciated taking additional well known and conventional measures to ensure the elimination of bubbles in the finished lens sheet such as having a substrate supplying device that puts the substrate in an inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate supplying device that supplies and is capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the method and apparatus of Futoshi in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

Regarding claim 2, as noted above Futoshi teaches applying a pool of resin to a part of the uncured resin layer and pressing the substrate from one side to another.

Regarding claim 8, as noted above Futoshi teaches an additional nozzle for applying the uncured resin pool.

7. Claims 3-6 and 9-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Futoshi (JP 07-148751) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653) as applied to claims 1-2 and 7-8 above, and further in view of Watanabe et al (U.S. Patent 5,769,456).

Regarding claims 3-4 and 9-10, Futoshi is silent towards having a mold temperature adjust device for adjusting the temperature of the mold to a predetermined temperature, however it is known to control and adjust the temperature of a lens forming mold, as shown for example in Watanabe et al (See abstract). Furthermore, one skilled in the art would have been motivated to control the temperature of the mold in order to heat the resin and ensure that it is sufficiently viscous to spread and to remove excess solvent from the resin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a mold temperature adjusting device, as is known in the art as evidenced by Watanabe et al, and to adjust the mold temperature, in order to ensure adequate spreading of the resins and removal of solvent, in the apparatus and method of Futoshi, as modified above.

Regarding claims 5-6 and 11-14, Futoshi teaches having an endless conveying device for conveying the forming mold along a travel passage during which all the steps of the process are carried out (See paragraphs 0012-0013 of the computer translation). One skilled in the art would have readily appreciated readjusting the temperature of the mold on the return trip before the next lens is formed. It would have been obvious to do so in the method and apparatus of Futoshi, as modified above.

Regarding claims 15-22, one skilled in the art would have readily appreciated that the substrate supply device would need to supply the substrate in synchronization with the traveling of the of the forming mold in order for the substrate or else the placement of the substrate on the forming mold would not be guaranteed. It would have been obvious for the substrate supply device to work in synchronization with the travel of the forming mold.

8. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makoto (JP 64-086102) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653).

Makoto is directed to a method for manufacturing a lens sheet wherein ionization radiation curing type resin in the form of a liquid is supplied on the entirety of an upper surface of a forming mold to form an uncured resin layer, then a pool of ionization radiation curing type resin is dispensed on the uncured resin layer, then a substrate is placed on the uncured resin and the substrate is laminated to the uncured resin by pressing it with a pressure roller from one side to another and in the process spreading the uncured resin pool and eliminating any air bubbles, then an irradiation device irradiates the resin through the substrate to cure the resin, and then finally the cured resin together with the substrate is removed from the forming mold (See English language abstract and Figure 6).

Makoto and the present application are both directed to eliminating bubbles in the resin when laminating the substrate to the resin in the forming mold (See English

abstract), however Makoto is silent towards accomplishing this by having the substrate supply device put the substrate in an inclined state relative to the upper surface of the forming mold. However, it is well known and conventional in the art when placing a substrate over a pool of liquid that needs to be evenly spread across a surface in a manner to eliminate bubbles to have a substrate supply device provide the substrate at an incline to the surface so that one edge touches one edge of the surface and the substrate is gradually lowered and in the process spreads the liquid as it is lowered and eliminates bubbles from being present in the liquid and between the substrate and the surface as shown for example in Summersgill et al (See Figure 1; Column 5, lines 19-24, and 58-63; and Column 6, lines 33-35), Takahashi et al (See Figures 3-5 and Column 2, lines 44-58), and Toide et al (See Figure 18 and Column 16, lines 17-25). One skilled in the art would have readily appreciated taking additional well known and conventional measures to ensure the elimination of bubbles in the finished lens sheet such as having a substrate supplying device that puts the substrate in an inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate supplying device that supplies and is capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the method of Makoto in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

Regarding claim 2, as noted above Makoto teaches applying a pool of resin to a part of the uncured resin layer and pressing the substrate from one side to another.

9. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makoto (JP 64-086102) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653) as applied to claims 1-2 above, and further in view of Futoshi (JP 07-148751).

Makoto is silent towards the apparatus utilized to perform, such as having a nozzle for dispensing the resin or a substrate supply device for providing the substrate at an inclined state in respect to the forming mold. It is well known and conventional in the lens forming art to have a nozzle for supplying the uncured resin layer and a separate nozzle for supplying the uncured resin pool, and to have a substrate supplying device, as shown for example in Futoshi (See Figure 7). It would have been obvious to use conventional devices in an apparatus for performing the method of Makato such as having separate nozzles for applying the resin and have a substrate supply device, as suggested in Futoshi. Furthermore it would have been obvious to have the substrate supply device to be capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the apparatus of Makoto in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

10. Claims 3-6 and 9-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makoto (JP 64-086102) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653) as applied above to claims 1-2 and further taken with Futoshi (JP 07-148751) as applied to claims 7-8 above , and further in view of Watanabe et al (U.S. Patent 5,769,456).

Regarding claims 3-4 and 9-10, Makoto is silent towards having a mold temperature adjust device for adjusting the temperature of the mold to a predetermined temperature, however it is known to control and adjust the temperature of a lens forming mold, as shown for example in Watanabe et al (See abstract). Furthermore, one skilled in the art would have been motivated to control the temperature of the mold in order to heat the resin and ensure that it is sufficiently viscous to spread and to remove excess solvent from the resin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a mold temperature adjusting device, as is known in the art as evidenced by Watanabe et al, and to adjust the mold temperature, in order to ensure adequate spreading of the resins and removal of solvent, in the apparatus and method of Makoto, as modified above.

Regarding claims 5-6 and 11-14, Makoto is silent towards having an endless conveying device however Futoshi teaches having an endless conveying device for conveying the forming mold along a travel passage during which all the steps of the process are carried out (See paragraphs 0012-0013 of the computer translation). It would have been obvious perform the method of Makoto using known apparatus such as the endless conveyor device taught in Futoshi. Furthermore one skilled in the art

would have readily appreciated readjusting the temperature of the mold on the return trip before the next lens is formed. It would have been obvious to do so in the method and apparatus of Makoto, as modified above.

Regarding claims 15-22, one skilled in the art would have readily appreciated that the substrate supply device would need to supply the substrate in synchronization with the traveling of the of the forming mold in order for the substrate or else the placement of the substrate on the forming mold would not be guaranteed. It would have been obvious for the substrate supply device to work in synchronization with the travel of the forming mold.

11. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being obvious over Matsumoto (US 2002/0056929) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653).

The applied reference, US 2002/0056930, has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application

and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Matsumoto is directed to a method and apparatus for manufacturing a lens sheet wherein a nozzle supplies an ionizing radiation curing type resin on the entirety of an upper surface of a forming mold to form an uncured resin layer, then a different nozzle supplies ionizing radiation curing type resin on part of the uncured resin layer to form an uncured resin pool, then a substrate supplying device places a substrate on the uncured resin and the substrate is laminated to the uncured resin by pressing it with a pressure roller from one side to another and in the process spreading the uncured resin pool and eliminating any air bubbles, then an irradiation device irradiates the resin through the substrate to cure the resin, and then finally the cured resin together with the substrate is removed from the forming mold. This process is carried out on an endless conveying device with the substrate supply device moving in synchronization with the moving forming mold and the mold includes a temperature adjusting device which is adjusted as the mold makes its return trip on the conveyor device. (See Paragraphs 0049 to 0059 and 0082 to 0093 and Figures 1A-G and 5).

Matsumoto and the present application are both directed to eliminating bubbles in the resin when laminating the substrate to the resin in the forming mold, however Matsumoto is silent towards accomplishing this by having the substrate supply device put the substrate in an inclined state relative to the upper surface of the forming mold. However, it is well known and conventional in the art when placing a substrate over a pool of liquid that needs to be evenly spread across a surface in a manner to eliminate bubbles to have a substrate supply device provide the substrate at an incline to the surface so that one edge touches one edge of the surface and the substrate is gradually lowered and in the process spreads the liquid as it is lowered and eliminates bubbles from being present in the liquid and between the substrate and the surface as shown for example in Summersgill et al (See Figure 1; Column 5, lines 19-24, and 58-63; and Column 6, lines 33-35), Takahashi et al (See Figures 3-5 and Column 2, lines 44-58), and Toide et al (See Figure 18 and Column 16, lines 17-25). One skilled in the art would have readily appreciated taking additional well known and conventional measures to ensure the elimination of bubbles in the finished lens sheet such as having a substrate supplying device that puts the substrate in an inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate supplying device that supplies and is capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the method and apparatus of

Matusmoto in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

12. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

13. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being obvious over Matsumoto et al (US 2002/0056930) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653).

The applied reference, US 2002/0056930, has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29,

1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Matsumoto et al is directed to a method and apparatus for manufacturing a lens sheet wherein a nozzle supplies an ionizing radiation curing type resin on the entirety of an upper surface of a forming mold to form an uncured resin layer, then a different nozzle supplies ionizing radiation curing type resin on part of the uncured resin layer to form an uncured resin pool, then a substrate supplying device places a substrate on the uncured resin and the substrate is laminated to the uncured resin by pressing it with a pressure roller from one side to another and in the process spreading the uncured resin pool and eliminating any air bubbles, then an irradiation device irradiates the resin through the substrate to cure the resin, and then finally the cured resin together with the substrate is removed from the forming mold. This process is carried out on an endless conveying device with the substrate supply device moving in synchronization with the moving forming mold and the mold includes a temperature adjusting device which is adjusted as the mold makes its return trip on the conveyor device. (See Paragraphs 0064 to 0074 and 0100 to 0111 and Figures 1A-G and 6).

Matsumoto et al and the present application are both directed to eliminating bubbles in the resin when laminating the substrate to the resin in the forming mold, however Matsumoto et al is silent towards accomplishing this by having the substrate supply device put the substrate in an inclined state relative to the upper surface of the

forming mold. However, it is well known and conventional in the art when placing a substrate over a pool of liquid that needs to be evenly spread across a surface in a manner to eliminate bubbles to have a substrate supply device provide the substrate at an incline to the surface so that one edge touches one edge of the surface and the substrate is gradually lowered and in the process spreads the liquid as it is lowered and eliminates bubbles from being present in the liquid and between the substrate and the surface as shown for example in Summersgill et al (See Figure 1; Column 5, lines 19-24, and 58-63; and Column 6, lines 33-35), Takahashi et al (See Figures 3-5 and Column 2, lines 44-58), and Toide et al (See Figure 18 and Column 16, lines 17-25). One skilled in the art would have readily appreciated taking additional well known and conventional measures to ensure the elimination of bubbles in the finished lens sheet such as having a substrate supplying device that puts the substrate in an inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate supplying device that supplies and is capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the method and apparatus of Matusmoto et al in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

14. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

15. Claims 1-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8, 9, 17, 18, 26, 27, 59, 60, and 61 of copending Application No. 10/001,145 (US 2002/0056930) in view of Summersgill et al (U.S. Patent 5,985,084), Takahashi et al (U.S. Patent 6.302,985), or Toide et al (U.S. Patent 5,318,653).

Claims 1-6 of the present application correspond to claims 8, 9, 17, 18, 26, and 27, respectively, of the copending application. The only difference is the claims of the copending application do not specify putting the substrate in an inclined state relative to the upper surface of the forming mold.

The copending application and the present application are both directed to eliminating bubbles in the resin when laminating the substrate to the resin in the forming mold, however the copending application is silent towards accomplishing this by having

the substrate supply device put the substrate in an inclined state relative to the upper surface of the forming mold. However, it is well known and conventional in the art when placing a substrate over a pool of liquid that needs to be evenly spread across a surface in a manner to eliminate bubbles to have a substrate supply device provide the substrate at an incline to the surface so that one edge touches one edge of the surface and the substrate is gradually lowered and in the process spreads the liquid as it is lowered and eliminates bubbles from being present in the liquid and between the substrate and the surface as shown for example in Summersgill et al (See Figure 1; Column 5, lines 19-24, and 58-63; and Column 6, lines 33-35), Takahashi et al (See Figures 3-5 and Column 2, lines 44-58), and Toide et al (See Figure 18 and Column 16, lines 17-25). One skilled in the art would have readily appreciated taking additional well known and conventional measures to ensure the elimination of bubbles in the finished lens sheet such as having a substrate supplying device that puts the substrate in an inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a substrate supplying device that supplies and is capable of supplying the substrate in inclined state with respect to the upper surface of the forming mold before placing the substrate on the upper surface in the method and apparatus of the copending application in order to further ensure the elimination of bubbles as suggested in Summersgill et al, Takahashi et al, and Toide et al.

Claims 7, 9, and 11 of the present application corresponds to claims 59, 60, and 61, respectively, of the copending application. Claim 59 of the copending application does not teach the substrate supply device being capable of putting the substrate in an inclined state relative to the uppers surface of the forming mold however such would have been obvious for the same reasoning as noted above with respect to claim 8 of the copending application. Claim 59 of the copending application does not teach the application device for supplying the resin is a nozzle or the pressing device is a pressing roller however the copending application teaches them being a nozzle and a pressing roller and it would have been obvious for them to have been such.

Regarding claims 8, 10, and 12-14 of the present application it would have been obvious that in order to use the apparatus of claim 59 of the copending application perform the method of claim 9 of the copending application, an additional nozzle would be needed for to supply the resin pool and such is taught in the copending application. It would have been obvious to include an additional nozzle.

Regarding claims 15-22 of the present application it would have been obvious that the apparatus of claim 61 would include the substrate supply device moving in synchronization with the forming mold in order for the substrate to be placed on the forming mold during the continuous process.

This is a provisional obviousness-type double patenting rejection.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

US 2002/0063350 and US 2002/0070468 are cited as being related applications, not available as prior art, but having a common inventor with the present application.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John T. Haran** whose telephone number is **(703) 305-0052**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael W. Ball can be reached on (703) 308-2058. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

John T. Haran
Examiner
Art Unit 1733